

44. A therapeutic composition as claimed in claim 43 wherein the arnica is in the range of about 12 to 15% by weight.

45. A therapeutic composition as claimed in claim 44 wherein the arnica is 14% by weight.

46. A therapeutic composition as claimed in claim 43 wherein the rosemary oil is in the range of about 16 to 20% by weight.

47. A therapeutic composition as claimed in claim 46 wherein the rosemary oil is 18% by weight.

48. A therapeutic composition as claimed in claim 43 wherein the ethanol is in the range of about 55 to 65% by weight.

49. A therapeutic composition as claimed in claim 48 wherein the ethanol is 60% by weight.

#### REMARKS

In the Official Action of April 14, 2003, claims 1-5, 7-39, and 41-42 were rejected under 35 U.S.C. 103 over the combination of U.S. Patents Nos. 5,431,924, 5,795,573, 6,444,238, and the cited pages of the Skin Care Dictionary. Claim 40 was allowed.

Responsive to the prior art rejection, all the rejected claims have been canceled and a new independent claim 43 has been added that is identical in content to allowed claim 40, but which claims the ingredients comprising the therapeutic composition of the present invention in ranges broader than the ranges set out in claim 40. In addition to new claim 43, new claims 44-49 have been added and are dependent on claim 43. Support for the broader recitation of ingredients in new claim 43 is set out in the example compositions 10 and 11 on page 9 of the specification of the captioned application. Just as with claim 40 (which has already been allowed), the cited references do not disclose or suggest the combination of ingredients in the broader ranges defined in new claim 43. Accordingly, it is respectfully submitted that new claim 43 is allowable over the prior art and, because they are dependent on an allowable main claim, and because each of them adds subject matter that is not taught in the cited references such that each of them is also separately allowable, it is respectfully submitted that dependent claims 44-49 are also allowable.

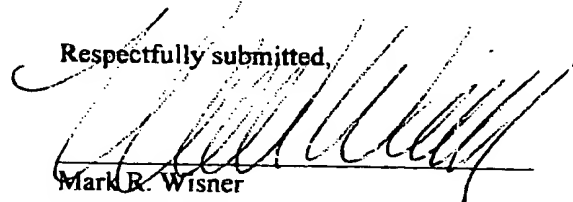
Please note that, in accordance with the requirements of 37 C.F.R. 1.116(a) it is Applicant's intention to amend the claims of this application in a manner that puts the application in condition for issuance. In the unforeseen event that Applicant has not achieved that goal with this Response, it is respectfully requested that the below-signed Attorney for

Applicant be contacted via telephone so that any necessary further amendments and/or other action can be accomplished as quickly as reasonably possible.

Please also note that the inventor's name is misspelled on the Forms PTO-90C and PTO-326 transmitting the Official Action. A newly-executed Declaration and Power of Attorney on which the inventor's name was spelled correctly (with two "L's") was filed with Applicant's **Response to Official Action of April 11, 2003**, and correction of the records of the Office to show the proper spelling of Applicant's name is respectfully requested.

Entry of the amendments set out above, reconsideration and withdrawal of the rejection, allowance of the claims, and passage of the application to issuance are all respectfully requested. In the event there are questions, please contact Applicant's Attorney at the address and telephone number set out below.

Respectfully submitted,



Mark R. Wisner

Registration No. 30,603

Wisner & Associates

1177 West Loop South, Suite 400

Houston, TX 77027

Telephone: (713) 785-0555

Facsimile: (713) 785-0561

ATTORNEY FOR APPLICANT

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